

THE  
RIGHT TO FOOD  
*in theory and  
practice*



Food  
and  
Agriculture  
Organization  
of  
the  
United  
Nations



**THE  
RIGHT TO FOOD**  
*in theory and  
practice*

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

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## Foreword

In November 1996 the world's leaders gathered in Rome for the World Food Summit. They considered it intolerable that more than 800 million people in the world do not have enough food to meet

their basic nutritional needs and pledged their political will and their commitment to achieving food security for all and to an ongoing effort to eradicate hunger in all countries, with an immediate view to reducing the number of undernourished people to half its 1996 level no later than 2015.

The World Food Summit Plan of Action spells out the various objectives and actions to guide countries in achieving the aims of the Summit. One of these objectives is to improve the definition and implementation of the rights related to food. The High Commissioner for Human Rights was given special responsibility for this objective, and has already made considerable progress.

The fiftieth anniversary of the Universal Declaration of Human Rights, the cornerstone document for all those aspiring to establish human rights and human dignity, is on 10 December 1998. It is my pleasure to present this special publication by FAO in commemoration of that anniversary.

One of the rights spelled out in the Universal Declaration is the right to an adequate standard of living, including food. The Preamble to the FAO Constitution sets "ensuring humanity's freedom from hunger" as one of the basic purposes of the Organization. The rights related to food are therefore of special concern to FAO and other agencies involved in food, agriculture and rural development.

In this publication, the rights related to food are examined from both the human rights and the operational points of view. Distinguished human rights expert A. Eide provides an insight into the meaning of the right to adequate food; FoodFirst International Action Network, a non-governmental organization (NGO) that specializes in the right to food, presents an overview of NGO action in the field; the World Food Programme discusses the right to food in emergencies, with special emphasis on the plight of internally displaced persons; P. Spitz of the International Fund for Agricultural Development explains the visions of his organization for the rural poor; and FAO itself has contributed various articles about women's right to food, hunger mapping, follow-up action to the World Food Summit, the Special Programme for Food Security, and the importance of national legislation in implementing the rights related to food. ●



Jacques Diouf  
Director-General,

Food and Agriculture Organization of the United Nations

## Introduction

The World Food Summit decided in November 1996 to entrust the United Nations High Commissioner for Human Rights with the mandate of better defining the rights related to food,

as set out in Article 11 of the International Covenant on Economic, Social and Cultural Rights. This included the responsibility to propose ways to implement and realize these rights as a means of achieving the commitments and objectives of the World Food Summit, taking into account the possibility of formulating voluntary guidelines for food security for all. The Commission on Human Rights and the Economic and Social Council endorsed this mandate.

My first substantive step in the implementation of this important task was to convene a two-day consultation in Geneva on 1 and 2 December 1997.

Representatives of the United Nations system, non-governmental organizations (NGOs) and experts participated in the Consultation. The first day was devoted to a general discussion within the Committee on Economic, Social and Cultural Rights on the normative content of the right to food as set out in Article 11 of the International Covenant on Economic, Social and Cultural Rights. The second day was an expert meeting, which focused on the implementation of the right to food, that is the practical steps to be taken at national and international levels for the full enjoyment of that right.

The Commission on Human Rights discussed the report of this consultation and, on 11 April 1998, adopted resolution 1998/23 on the right to food. By this resolution, the Commission reaffirmed that hunger constitutes an outrage and a violation of human dignity and, therefore, requires the adoption of urgent measures at national, regional and international levels for its elimination. The Commission also reaffirmed the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger so as to be able to develop fully and maintain their physical and mental capacities.

The Commission therefore considered it intolerable that more than 800 million people throughout the world, especially women and children and those living in developing countries, do not have enough food to meet their basic nutritional needs, which infringes their fundamental human rights.

The Commission also welcomed the initiative undertaken by my Office to convene the Consultation on the Right to Adequate Food, as a concrete and practical response to Objective 7.4 of the Rome Declaration and Plan of Action. The meeting concluded that the human right to adequate food is firmly



*Children in Madras eat what they can find on the streets*  
Hunger is an outrageous violation of human dignity that requires urgent measures for its elimination.

established in international law, but its operational content and means of application are generally little understood.

A human rights approach to food and nutrition problems is fundamentally different from basic needs-oriented approaches to development. It introduces a normative basis, which is obligatory at the state level. It also implies that the "beneficiaries" of development are active *subjects* and "claim holders" and stipulates the duties or obligations of those against whom such claims can be held. Finally, such an approach introduces an accountability dimension not present in basic needs strategies.

A fundamental misunderstanding in the implementation of the right to food, has been the notion that the principal obligation is for the state to feed the citizens under its jurisdiction (*fulfilling* the right to food), rather than *respecting and protecting* the rights related to food, as well as emphasizing the obligations of individuals and civil society in this regard.

The Consultation therefore recommended that a follow-up meeting should take place to complete the discussions on the content and means for implementation of the right to adequate food. The Commission on Human Rights endorsed the proposal to have a follow-up meeting before the end of 1998 to pursue the discussions on the contents and means of implementation of the rights related to adequate food.

In addition, the Commission requested that the Committee on Economic, Social and Cultural Rights draft, discuss and adopt a general comment on the rights related to food. Such a general comment would greatly enhance the common understanding of what the right to food means and give greater guidance for the States Parties to the Covenant in their reporting obligations on how they are implementing this right.

My Office is therefore convening a second round of consultations, hosted by FAO in Rome on 18 and 19 November 1998. It is my hope that this venue will facilitate an even stronger participation from the Rome-based food agencies; they are the ones in constant touch with the practical realities of the right to food, and the lack of it.

I would like to see FAO, the World Food Programme (WFP) and the International Fund for Agricultural Development (IFAD) becoming more institutionally sensitive to the fact that aspects of the right to food are their main purpose, and more willing to take a rights approach in their work, as well as taking part in the effort of the United Nations to integrate human rights in general into all aspects of its work.

FAO/IMAT/P. CHANG



**A baby on its mother's back, Ghana**  
Everyone has the right to safe and nutritious food.



**Empty shelves in Moscow reflect serious food shortages**

The right to food is supported by international law, but effective means of putting it into practice have still to be established.



**Market traders in Togo display their wares**

The state should be seen as the protector of rights relating to food, rather than merely being the direct supplier of food in emergencies.

Many actors are relevant to the right to food. Apart from the Rome agencies already mentioned, the right to food is relevant to the mandate of the World Health Organization (WHO), the International Labour Organisation (ILO), the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Programme (UNDP), the World Bank and many others. I would like these organizations to achieve a common understanding and common direction for eliminating hunger and malnutrition, and I attach great importance to the dialogue between them and my own Office.

There is a clear division of labour between human rights institutions and development actors. At the international level this means that the United Nations human rights machinery is charged with monitoring the realization – and violation – of the right to adequate food, while the development agencies provide technical, financial and food assistance.

For the food and development agencies, clarification of the right to food is essential for the putting into practice of food security objectives. In this connection, the Maastricht Guidelines interpret the Covenant's call for the progressive realization of economic, social and cultural rights as requiring states to achieve specific targets to satisfy a normative standard (the "obligation of result").

The global development conferences of the 1990s have provided important guidance in this regard, by providing quantitative, time-frame development targets, including food and nutrition. Within this framework, states can now set their own country-specific targets as a means

for realizing the right to adequate food.

Of equal importance to the actors of the United Nations and intergovernmental system are NGOs. The human rights agenda is very much influenced by NGOs and civil society in general. NGOs are often able to be ahead of intergovernmental bodies in policies because of their different nature. For instance, a network of NGOs is already lobbying for its own draft Code of Conduct on the Human Right to Adequate Food, which would be a great working tool, even if it is not immediately adopted by the international community.

Let me state my approach. I am committed to giving equal importance to all human rights – civil, cultural, economic, political and social. Economic,

social and cultural rights have received too little attention in the past but, as was reconfirmed by the World Conference on Human Rights in Vienna in 1993, "all human rights are universal, indivisible and interdependent and interrelated".

In practice, we have not yet achieved the universal, interdependent and interrelated protection and promotion of civil and political, economic, social and cultural rights. Whereas clear standards have been set as to the contents of civil and political rights, the precise meaning of economic, social and cultural rights remains vague. If all human rights are to be treated on an equal footing, more attention needs to be paid to clarifying the universal minimum core contents of economic, social and cultural rights.

In this respect, the World Food Summit Plan of Action must be very warmly welcomed. Objective 7.4 of the Plan of Action creates the possibility for a substantive strengthening of the right to food as contained in the International Covenant on Economic, Social and Cultural Rights.

For the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, which constitutes a common standard of achievement for all peoples and all nations, it is my pleasure to introduce FAO's publication on *The right to food in theory and practice*, which throws light on the different but complementary approaches of the many actors involved. ●



**Mary Robinson**

United Nations High Commissioner  
for Human Rights



*In Ghana rice and beans are mixed together and cooked to make wakye. The right to food means access to enough food to meet the basic nutritional needs of everyone.*

# The human right to adequate food and freedom from hunger

Asbjørn Eide

Senior Fellow and former Director, Norwegian Institute of Human Rights; Special Rapporteur on the Right to Adequate Food as a Human Right, the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Heads of State and Government gathered in Rome at the World Food Summit at the invitation of FAO, reaffirmed on November 13 1996 the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger. They considered it intolerable that more than 800 million people throughout the world, and particularly in developing countries, do not have enough food to meet their basic nutritional needs, and pledged their political will and their common and national commitment to achieving food security for all and to an ongoing effort to eradicate hunger in all countries. They

formally renewed their commitment to the right to adequate food and recommended that the content of this right be defined more clearly and ways to implement it be identified.

## The international human rights system

The contemporary international human rights system was born in 1948 when the United Nations General Assembly adopted the Universal Declaration of Human Rights (UDHR) as "... a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance."

The "Four Freedoms" address of United States President Roosevelt, in January 1941, was of special importance in the preparation of the Declaration, which included freedom from want as one of those rights.<sup>1</sup> In the negotiations for the UDHR in 1947-1948, the United States delegation played a major role, emphasizing that economic and social rights should be included as well as

<sup>1</sup> On the Roosevelt conception of freedom from want as a source of contemporary conceptions of human rights, see Eide, A., Oshaug, A. and Eide, W.B. 1991, Food security and the right to food in international law and development. *Transnational Law and Contemporary Problems* (University of Iowa), 1:2, 415-467; and Alston, P. 1990, US ratification of the Covenant on Economic, Social and Cultural Rights: the need for an entirely new strategy. *American Journal of International Law*, Vol. 84. On the historical evolution of the broad concept of human rights, see Marshall, T.S. 1959 *Citizenship and social class and other essays*. Cambridge, UK, Cambridge University Press; and Dahrendorf, R. 1988 *The modern social conflict: an essay on the politics of liberty*. London, Weidenfeld and Nicolson.

the civil rights that set out the fundamental freedoms, since – in the words of the United States delegation – “a man in need is not a free man”. In his 1944 State of the Union address, Roosevelt had advocated the adoption of an “Economic Bill of Rights”, saying that:

“We have come to the clear realization of the fact that true individual freedom cannot exist without economic security and independence. ‘Necessitous men are not free men.’ People who are hungry and out of jobs are the stuff of which dictatorships are made.”<sup>2</sup>

The great contribution of the UDHR is that it extended the human rights platform to embrace the whole field – civil, political, economic, social and cultural – and interrelated the different rights, making them mutually reinforcing.

The International Bill of Human Rights includes the UDHR and the two Covenants prepared on the basis of that Declaration, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), both adopted in 1966.

Economic, social and cultural rights constitute three interrelated components of a more comprehensive package, with links to civil and political rights. At the core of social rights is the right to an adequate standard of living (UDHR Article 25; ICESCR Article 11; the International Convention on the Rights of the Child (CRC) Article 27). The enjoyment of these rights requires, at a minimum, that everyone shall enjoy the necessary subsistence rights – adequate food and nutrition, clothing, housing and the necessary conditions of care. Closely related to these rights are the right of families to assistance, the right to property, the right to work and the right to social security, all of which can be found in the international instruments.

### The right to adequate food

According to UDHR Article 25(1), “everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing...”. Under ICESCR Article 11, the States Parties “recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing...”. In paragraph 2 of the same article, the States Parties to the Covenant recognize the fundamental right of everyone to be free from hunger and list measures to be taken individually and through international cooperation in order to bring hunger to an end.

Under CRC Article 27, “States Parties recognize the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development”.

<sup>2</sup> Quoted in Alston, 1990, p. 387.

The right to an adequate standard of living sums up the underlying concern of all economic and social rights, which is to integrate everyone into a humane society. This right is closely linked to the guiding principle of the whole human rights system, that everyone is born free and equal in dignity and rights and should act towards each other in a spirit of fraternity (UDHR Article 1).

The general concept of adequate food can be broken down into several elements: the food supply should be adequate, which means that the types of foodstuffs commonly available (nationally, in local markets and, ultimately, at the household level) should be culturally acceptable (fit in with the prevailing food or dietary culture); the available supply should cover overall nutritional needs in terms of quantity (energy) and quality (it should provide all the essential nutrients, including micronutrients such as vitamins and iodine); and, last but not least, food should be safe (free of toxic elements and contaminants) and of good quality (in terms of, for example, taste and texture).

The UDHR envisaged that everyone throughout the world should enjoy the rights contained therein. These rights were to be absorbed into the legal, administrative and political culture of nations, through recognition followed by implementation in national law and administration, including any necessary political and social reforms. Global institutions had to be set up, some of them to monitor the implementation of human rights worldwide and others, such as FAO, to provide assistance and cooperation in facilitating the enjoyment of these rights for all. The UDHR was initially an expression of ideal goals to be achieved. The process of transforming these ideals into hard law at the international level started with the adoption of the two Covenants in 1966, followed by numerous more specific conventions. While these created obligations for states under international law, the main task was to ensure that rights were incorporated into national law and administrative practice, and that conditions were created under which it would be possible for states to meet their obligations.

### State obligations

Under ICESCR Article 2, States Parties have undertaken legally binding obligations to take steps, to the maximum of their available resources, to achieve progressively the full realization of the economic and social rights in that Covenant.

A basic misconception, which has had a negative affect on the implementation of economic and social rights, is that such rights must be provided by the state. In the past, this misconception caused many people to oppose economic and social rights, on the assumption that they were costly, undermined creativity, removed incentives and led to an overgrown state apparatus. It is now widely recognized that this view resulted from a misunderstanding of the nature of these rights and particularly of the corresponding state obligations.

A realistic understanding of state obligations must take into account, as is stated in the United Nations Declaration on the Right to Development Article 2, that the individual is the active *subject*, not the object, of economic and social development. Most human beings strive to take care of their own livelihoods through their own efforts and resources, individually or in association with others. If individuals are to be able to use their own resources, however, they must have resources that can be used. Typically, an individual's usable resources are land or other capital and/or labour, combined with the knowledge necessary to achieve optimal utilization of all the other resources he or she controls. The realization of many of an individual's economic, social and cultural rights will, in most cases, take place within the context of a household as the smallest economic unit. This means that attention must also be paid to the female/male division of labour and control over production and consumption, and to various forms of wider kinship arrangements that influence the nature and practical operation of the concept of "family".

Since state obligations must be seen in the light of the assumption that human beings, families and wider groups seek to find their own solutions to their needs, states should, at the *primary* level, *respect* the resources owned by the individual and the individual's freedom to find a job of preference, to make optimal use of her or his own knowledge and to take the necessary actions and use the necessary resources – alone or in association with others – to satisfy his or her own needs.

The state cannot, however, be passive in its acknowledgement of these rights and freedoms. Third parties are likely to interfere negatively with the possible options that individuals or groups otherwise might have had to satisfy their own needs. At a *secondary* level, therefore, state obligations include active *protection* against other, more assertive or aggressive subjects, in particular against more powerful economic interests. There is a need for state protection from fraud, unethical behaviour in trade and contractual relations, and the marketing and dumping of hazardous or dangerous products. This protective function of the state is widely used and is the most important aspect of state obligations with regard to economic, social and cultural rights, similar in importance to the role of the state as protector of civil and political rights.

Significant components of the obligation to protect are already spelled out in the existing law of most states, and legislation of this kind must be based on the specific requirements within the individual country concerned. This is one of the reasons for the relative vagueness in the formulations of economic and social rights in international instruments – such rights should be clarified by specific legislation within each country, taking into account the situation prevailing there.

At the *tertiary* level, the state has the obligation to facilitate opportunities by which the rights listed can be enjoyed or, when the other obligations are insufficiently met, to provide such opportunities and thus *fulfil* the rights.

Facilitation takes many forms. With regard to the right to food, for example, under ICESCR Article 11(2), the state shall take steps to "improve measures of production, conservation and distribution of food by making full use of technical and scientific knowledge and by developing or reforming agrarian systems."

The obligation to fulfil rights by providing the needs listed in the instruments is important both during emergencies and under normal circumstances. During emergencies, when the conditions for survival are temporarily disrupted (as a result of, for example, severe draught or flood, armed conflict or the collapse of economic activities within particular regions of a country), the obligations of the state on whose territory the emergency occurs must be supplemented by assistance from outside. The existence of international obligations to cooperate when such needs arise is increasingly recognized.

A more permanent feature of the obligation to fulfil is that it becomes more important with increasing rates of urbanization and the decline of group or family responsibilities. Obligations towards the elderly and disabled, who in traditional agricultural society were taken care of by their families, must increasingly be borne by the state and, thus, by the national society as a whole.

The obligation to fulfil therefore consists of the direct provision of basic needs such as food or resources which can be used for food (through direct food aid or social security) when no other possibility exists, for example: i) when unemployment sets in (such as during economic recession); ii) for the disadvantaged and elderly; iii) during sudden situations of crisis or disaster; and iv) for those who are marginalized (as a result of, for example, structural transformations in the economy and production).

### Concluding remarks

Economic and social rights are an important part of the human rights system as it has been formulated and consolidated since the adoption of the UDHR in 1948, but there has been limited political will to enforce them. The Declaration and Plan of Action adopted by the World Food Summit has changed this situation significantly. The follow-up, through cooperation between the High Commissioner for Human Rights, FAO and its Committee on World Food Security as well as other food organizations, the United Nations Children's Fund (UNICEF), the Sub-Committee on Nutrition of the United Nations Administrative Coordinating Committee (ACC-SCN) and other bodies, is likely to place the issue of the right to food more centrally on the international agenda. The outcome that is hoped for is that a long-standing commitment be transformed into reality and that by the early decades of the next millennium everyone will be able to enjoy the right to adequate food. ●



# NGOs and the right to adequate food

Michael Windfuhr

FoodFirst Information and Action  
Network (FIAN) International

## Hunger and malnutrition: the human rights approach

The fiftieth anniversary of the Universal Declaration of Human Rights (UDHR) offers a unique opportunity to strengthen the indivisibility of all human rights. The UDHR established that the realization of all human rights – civil, cultural, economic, political and social – is needed to guarantee a life in dignity for all human beings. As stated in UDHR Article 25, a life in dignity requires that “everyone has the right to a

standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing...”. Despite the recognition of the right to adequate food in the UDHR, and subsequently in the International

Covenant on Economic, Social and Cultural Rights (ICESCR), economic, social and cultural rights were not given adequate attention at the national and international levels for several decades. Fortunately, this situation is changing and several factors are now contributing to a better understanding of the interdependence, indivisibility and universality of all human rights.

One of the most important reasons for this change is the increasing emphasis that non-governmental organizations

(NGOs) are putting on economic, social and cultural rights, at both national and international levels. More and more, NGOs and social movements (community-based organizations) are demanding the full implementation of the right to food from their respective authorities; for example, landless peasants in Latin America call for access to land, indigenous peoples seek security for their traditional land titles and fishers in Asia struggle against the destruction of local fishing grounds by industrial fleets. The “rights approach” is becoming important to many groups in their daily struggles and this is having a knock-on effect on other strategies to end hunger and malnutrition. This does not mean that adopting the rights approach is always going to be enough to solve the problems that cause hunger and malnutrition; not every hungry or malnourished human being is a victim of human rights violations. However, violations occur when states fail in their obligations to respect, protect or fulfil the right to food, and such state failure is one of the major causes of the persistence of hunger and malnutrition. The rights approach, therefore, helps civil society organizations to deal with this type of problem and policy.

The use of the rights approach by NGOs and social movements has increased considerably in recent years because economic, social and cultural rights



*Village children in Senegal eat a meal of millet and milk*

All civil, cultural, economic, political and social rights need to be realized to guarantee a life in dignity for all human beings.



*A Senegalese woman breastfeeds her baby. Organizations involved in issues such as breastfeeding, access to health facilities and child malnutrition are increasingly working on a rights basis.*

generally are more precisely recognized than they were before. Although the existence of economic, social and cultural rights and the right to food has been acknowledged frequently for several decades, the rights themselves have been neglected and discriminated against by both states in their human rights work and the United Nations human rights system itself. Recently, however, the situation has changed considerably as a result of developments such as: a more precise legal interpretation of the rights concerned, which started with the establishment of the Committee on Economic, Social and Cultural Rights in 1987; better support from the international law community; and, since the end of the cold war, states' commitment to the implementation of these rights. Although much remains to be done at both the national and international levels to elevate the status of economic, social and cultural rights, in practice, to that of civil and political rights, the indivisibility and interrelatedness of all human rights are now high on the agenda.

NGO action in the follow-up to the World Food Summit (WFS) has taken Objective 7.4 of the Summit Plan of Action<sup>3</sup> very seriously. Many NGOs are well aware that promotion of the right to food requires a clear definition of the basic concept of economic, social and cultural rights and a continuous process of "unlearning" the reductionist human rights concept, which is focused entirely on civil and political rights, as well as the reductionist concepts of food security that focus only or mostly on agricultural productivity and harvest yields.

### NGO action

More than 1 000 organizations from more than 80 countries participated in the parallel NGO Forum at the WFS. NGOs and social movements are following a wide and colourful variety of practical and legal approaches to solving hunger and malnutrition and their work is essential to all endeavours aimed at tackling these problems. To get an overview of the variety of approaches to implementation of the right to food in concrete situations, it is important to differentiate those national and international NGOs and movements that explicitly use a rights approach in their daily work from those that, while working with issues strongly related to the right to food, use more developmental, or "implicit", approaches.

So far, only a few NGOs are using an explicit rights approach to food and nutrition issues at the international level. Among these rights approach NGOs are: FoodFirst Information and Action Network (FIAN), the World Alliance for Nutrition and Human Rights, and the Global Forum on Sustainable Food and Nutrition Security. A good indicator of the use of the rights approach is

<sup>3</sup> See Extracts from International instruments, p. 46

the number of NGOs that attend the regular sessions of the Committee on Economic, Social and Cultural Rights to report on violations of the right to adequate food. As yet, very few international NGOs use the Committee, but the number is growing steadily. The most regular user is FIAN, the International Human Rights Organization for the Right to Feed Oneself. FIAN applies a strict violations approach, which means that it intervenes in situations where states are breaching their obligations to respect, protect or fulfill the right to adequate food.

At the national level, an increasing number of NGOs and social movements use economic, social and cultural rights as a reference or starting point for their work. At the most recent sessions of the Committee on Economic, Social and Cultural Rights, increasing numbers of national NGOs have reported on food-related violations of economic, social and cultural rights and many of them have highlighted issues such as forced evictions of small farmers, insecurity of tenant laws, problems related to access to fishing grounds, violations of indigenous land rights or discriminatory food supply schemes.

In documenting country-specific violations, several traditional human rights organizations have also started to report on the general situation related to economic, social and cultural rights in their countries, and these rights are also receiving increasing recognition on the agendas of national human rights organizations which, in many countries, have focused their work on civil and political rights for decades.

Other sectoral organizations are following, including farmers' organizations and indigenous organizations, which use economic, social and cultural rights as a reference point from which to monitor their respective states' conduct. Some such organizations have already started to document violations of the right to food; an example of this is the impressive annual documentation of land conflicts done by the Comissão Pastoral da Terra (CPT), the land-pastoral movement of Brazil. In Mexico, a national network of more than 130 social movements has been lobbying for years to get the right to food formally recognized in the national constitution and reflected in national legislation.

Many national human rights organizations are starting to check national legislation and budgets to identify any lack of state commitment and action to implement the right to food. Moreover, some NGOs have started to use the national judicial system or, if available, their regional human rights system, to take up concrete cases of violations of this right.

Several NGOs use the terminology "nutrition rights" instead of "the right to adequate food". The concept of nutrition rights was developed in the context of the Convention on the Rights of the Child (CRC) and developed by the United Nations Children's Fund (UNICEF) which defined nutrition rights as the combination of access to food, health and necessary care. These three components are necessary to guarantee adequate nutrition to children. More and more NGOs are resorting to an explicit rights approach, especially in their

work related to the Committee on the Rights of the Child, the committee which monitors state compliance with the CRC. On the international level, the World Alliance on Nutrition and Human Rights, a network of experts in the fields of nutrition and human rights, is strongly promoting the rights approach to the food and nutrition aspects of its work. Other organizations involved in issues such as breastfeeding, access to health facilities and, especially, child malnutrition are increasingly working on a rights basis.

Many other NGOs are working with issues closely linked to the implementation of the right to food, without taking such an explicit rights approach or using the terminology of the right to food. Increasing numbers of NGOs are working on issues such as defending land rights, demarcation of indigenous territories, guaranteed access to water or fishing grounds and preserving biological diversity. The most important initiatives in these directions were started by national movements, although they are also getting more and more support from international development NGOs.

## WHAT DRIVES THE NGOS?

The motivation behind NGO and social movement action can best be summarized as follows:

- While the right to food is fully recognized legally, its realization is still highly deficient. More concrete steps towards its implementation are needed from states. Nevertheless, an active civil society is indispensable to enhance efforts towards a better implementation of the right to food.
- Hunger and malnutrition are fundamentally questions of justice. The right of every human being to food and the sustenance of life is an essential part of human rights, and the time has come to realize the importance of economic, social and cultural rights and, in particular, the fundamental right to food.

This is a tough challenge for states, NGOs and social movements.

While development policies in general advance, the development NGOs are taking the overall framework conditions of state policies more and more seriously. Government priorities and the general development orientation of government policies are among the issues that are increasingly judged to be the keys to successful development projects. The rights approach also focuses on government responsibilities, so development NGOs are starting to become more interested in using an economic, social and cultural rights approach as a reference point in their work.

A growing number of NGOs emphasize that the responsibility of implementing the right to food lies not only with states, but also, and increasingly, with other actors. This was made especially clear in the Profit for Few or Food for All resolution of the NGO Forum at the WFS. The NGOs stated that "the globalization of the world economy, along with the lack of

accountability of multilateral corporations and spreading patterns of overconsumption have increased world poverty." This statement highlights the fact that many actors – including civil society – have responsibilities in supporting the realization of the right to food. Nevertheless, the NGOs emphasized the special role of states in guaranteeing it: "The shame of global hunger and malnutrition compels action by all. At the same time, we insist that governments have the primary and ultimate responsibility to ensure national and global food security."

### NGO draft Code of Conduct

Regional and international NGOs embraced the idea of a code of conduct on the right to adequate food and made it one of their main lobbying aims for the WFS. The NGOs saw two of the functions of such a code as being particularly important. First, a code of conduct would reduce existing weaknesses in the human rights instruments that recognize the right to adequate food. One of these weaknesses is the lack of precise descriptions of the legal concepts contained in the right to adequate food and of the corresponding state obligations mentioned in the ICESCR. Second, there are legal lacunae as to what impact intergovernmental policies (e.g. the structural adjustment programmes of the World Bank and the International Monetary Fund – IMF) and private actors (e.g. transnational corporations) will have on the right to adequate food and these too could be addressed, in a first step, by formulating a code of conduct on the right to adequate food. During the WFS, the plenary of the parallel NGO Forum therefore proposed such a code of conduct as one of their two key demands. In their final political statement, *Profit for Few or Food for All: Food Sovereignty and Security to Eliminate the Globalization of Hunger*, the NGOs in Rome concluded under point 6:

"International law must guarantee the right to food, ensuring that food sovereignty takes precedence over macroeconomic policies and trade liberalization.[...]"

Negotiations should be carried out to develop more effective instruments to implement the right to food. These instruments should include: A Code of Conduct to govern the activities of those involved in achieving the Right to Food including national and international institutions as well as private actors, such as multinational corporations[...]."

A few NGOs were mandated at the NGO Forum to formulate a code of conduct in the course of 1997 for discussion at a subsequent international NGO conference. The NGOs' draft Code of Conduct on the Human Right to Adequate Food has been available since the end of September 1997.

The aim of this process is to place the proposed Code of Conduct on to the agendas of the Commission on Human Rights (CHR) and the FAO Committee

on World Food Security (CFS). The NGOs behind this initiative have developed a two-pronged strategy for their campaign:

"An international instrument should be adopted by states, drawing on the International Code of Conduct on the Human Right to Adequate Food. The mandate for the preparation of such an instrument was given by the World Food Summit to the High Commissioner for Human Rights. Such a new international instrument must therefore be adopted by the Commission on Human Rights (CHR) and subsequently by the Economic and Social Council of the United Nations (ECOSOC). Due to the fact that improving the right to adequate food was identified in Rome as one of the major tools for the implementation of the World Food Summit results in general, it is also important to get the support of the FAO Committee on World Food Security (CFS)."

The support of states for the development of an international instrument drawing on the draft Code of Conduct on the Human Right to Adequate Food can only be gained if promotion and lobbying are carried out on the national as well as the international level. The pressure on individual states to implement the right to food and Summit Objective 7.4 should come from their own national civil societies and national-level promotion and lobbying should, therefore, be done by national NGOs and social movements.

The Code of Conduct can also be used as a tool for strengthening the understanding and implementation of the right to adequate food at the national level. As an educational instrument it can be used to:

- open up debate and initiate processes with state governments on how to implement better the right to adequate food at the national level. For example, national workshops could be set up to check the national legislation and identify weaknesses in administrative regulations and behaviour etc.;
- open debate among NGOs and within civil society on the right to adequate food.

It should be used by national NGOs to inform other NGOs and social movements about economic, social and cultural rights in general and the right to adequate food in particular. It can also be used to show how human rights and the procedures and advocacy they entail can be used at national and international levels for better implementation of the right to adequate food and nutrition.

According to the strategy decision, as many NGOs as possible are now being asked to endorse the idea of the Code and, in 1999, coordinated lobbying will be carried out with the aim of placing the proposal on the CFS and CHR agendas. ●

## DRAFT CODE OF CONDUCT ON THE HUMAN RIGHT TO ADEQUATE FOOD

*The draft Code of Conduct was endorsed, in September 1997, by: FoodFirst Information and Action Network (FIAN) the International Human Rights Organization for the Right to Feed Oneself; the World Alliance for Nutrition and Human Rights (WANHR); and the Istituto Internazionale Jacques Maritain. Those who would like to obtain the full text are advised to contact FIAN International directly at: FIAN International, P.O. Box 102243, 69012 Heidelberg, Germany. E-mail: FIAN@fian.org*

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## EXTRACTS

PART II
<b>Normative Content of the Right to Adequate Food</b>
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The right to adequate food means that every man, woman and child alone and in community with others must have physical and economic access at all times to adequate food or by using a resource base appropriate for its procurement in ways consistent with human dignity. The right to adequate food is a distinct part of the right to an adequate standard of living.

The realization of the right to adequate food requires

- 1 a) the availability of food, free from adverse substances and culturally acceptable, in a quantity and quality which will satisfy the nutritional and dietary needs of individuals;
- b) the accessibility of such food in ways that do not interfere with the enjoyment of other human rights and that is sustainable.
- 2 The ultimate objective of the right to adequate food is to achieve nutritional well-being. Nutritional



*A family vegetable garden in Panama*  
The International Covenant on Economic, Social and Cultural Rights recognizes "the right of everyone to an adequate standard of living for himself and his family".

FAO/18120/M-30376

well-being is dependent on parallel measures in the fields of education, health and care. In this broader sense, the right to adequate food is to be understood as the right to adequate food and nutrition.

- 3 The realization of the right to adequate food is inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, both at the national and international level, oriented to the eradication of poverty and the satisfaction of basic needs.

#### **Article 5**

- 5.1 In accordance with Articles 55 and 56 of the Charter of the United Nations it is incumbent upon States to take joint and separate action to advance the respect and observance of human rights including the right to adequate food.
- 5.2 All States Parties to the Covenant on Economic, Social and Cultural Rights are under the obligation to take immediate steps to fulfill their obligations under the Covenant. The obligation to achieve progressively the full realization of the right to adequate food requires States Parties to move as expeditiously as possible towards its realization.
- 5.3 As is true of all other human rights, the right to adequate food imposes three different types of obligations on States: the obligation to respect, to protect, and to facilitate and fulfill. Failure to perform any one of these three obligations constitutes a violation of human rights.
- 5.4 The human right to adequate food must be guaranteed without discrimination as to national or social origin, property, race, gender, language, religion, political or other opinion.
- 5.5 Food should never be used as an instrument for political and economic pressure.

#### **PART IV**

#### **Responsibilities of Actors of Civil Society**

##### **Article 10**

This code applies to all actors in civil society, whether they act as individuals, families, local communities or non-governmental organizations. For the full realization of the right to adequate food the active participation of all these actors is essential; this includes mechanisms of social mobilization as well as participation in planning, executing, monitoring and evaluating public policies relevant to the right to adequate food, while maintaining their autonomy in their relationship with the state. No actor of civil society shall contribute through personal or organized behaviour and programmes to violations of the right to adequate food.

##### **Article 11**

Every individual, having duties to other individuals and to the community to which he/she belongs, is under a responsibility to strive for the promotion and observance of the right to adequate food.  
Every individual and organisation in civil society shall strive, by teaching and education, to promote respect for the right to adequate food, helping to secure the universal and effective recognition, implementation and observance of this right, both among individuals and communities.

##### **Article 12**

The essential role civil society should play in the realization of the right to adequate food shall in no way diminish the primary importance of the obligations of States in this respect.

#### **PART V**

#### **Means and Methods of Implementation**

##### **Article 13**

All actors mentioned in this Code of Conduct: States, international organizations and the civil society including individuals, families, local communities and non-governmental organizations, and economic enterprises should contribute to the realization of the objectives and principles contained in this Code.





*A woman and her baby at an assistance centre for war-affected people in Angola. Conflict has overtaken natural disasters as the primary cause of acute hunger.*

## The right to food in emergencies

World Food Programme<sup>4</sup>



For millions of people, the ability to get the food they need has been suddenly and dramatically threatened by armed conflict and natural disasters. The misery of these people presses hard on the conscience of the international community, and their hunger is often a matter of life and death. The losses that accompany hunger are numerous – relatives lost to violence, homes and land abandoned, family assets such as the livestock and tools that are critical to food production and security gone, left behind

or looted. Hard-won gains are destroyed for individuals, families, communities and society as a whole. Livelihoods are disrupted and development activities and goals are pushed aside, sometimes for years.

Both the dimensions and the nature of the emergencies confronting the international community have changed markedly in the past quarter of a century. Conflict has overtaken drought and other types of natural disaster as the primary cause of acute hunger. The international community has been increasingly called upon to respond to complex emergencies, defined as humanitarian crises, within a country or region where there is a total or considerable breakdown in authority resulting from external or internal conflict. Complex emergencies require a response that goes beyond the mandate or capacity of any single agency or ongoing United Nations country programme.

The growth in conflict-related emergencies, insecurity and lack of effective state authority, as well as the pervasive use of landmines, have complicated and, at times, hindered both relief and rehabilitation efforts. Humanitarian personnel and relief goods have become targets in a number of conflict situations. Forced displacement is often not merely a consequence of conflict but may be an objective or tactic of war, and civilians have increasingly been subjected to violations of international humanitarian law and human rights abuses. War-affected populations may be denied access to food aid and other types of emergency assistance for reasons of political or military expediency.

Among the greatest challenges faced by the United Nations in recent years are those related to the forced displacement of populations. Globally, the

<sup>4</sup> The World Food Programme (WFP) is the frontline United Nations organization fighting to eradicate world hunger. By meeting the needs of refugees, the internally displaced and other civilian victims of famine, natural disaster and conflict, WFP protects and promotes the right of individuals to adequate food. In 1997, WFP targeted food aid assistance to meet the needs of approximately 15 million internally displaced persons, 4 million refugees and returnees, and 10 million persons affected by drought and human-induced or natural disasters.

**WFP OPERATIONAL EXPENDITURES FOR DEVELOPMENT AND RELIEF,  
1971-1997 (\$'000)**

	1976	1979	1982	1985	1988	1991	1994	1997
Development	251 724	418 585	422 440	582 000	704 000	534 900	324 500	332 691
Relief	33 877	88 209	189 759	159 500	174 000	228 400	845 700	703 366
<b>Total</b>	<b>285 601</b>	<b>506 795</b>	<b>612 199</b>	<b>741 500</b>	<b>878 000</b>	<b>763 300</b>	<b>1 170 200</b>	<b>1 036 057</b>

**SHARE OF DEVELOPMENT AND RELIEF IN WFP OPERATIONAL EXPENDITURES,  
1971-1997 (percentage)**

	1976	1979	1982	1985	1988	1991	1994	1997
Development	88	83	69	78	80	70	28	32
Relief	12	17	31	22	20	30	72	68
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

number of internally displaced persons has continued to grow, and now surpasses the total number of refugees. It is estimated that between 20 and 25 million people are internally displaced in more than 40 countries, while the total number of refugees is estimated at 13 to 14 million.

As a result of these factors, the share of global food aid dedicated to saving lives in emergencies (both natural and human-incurred) rose from 10 percent during the late 1970s to roughly 42 percent in 1997. Twenty years ago, approximately 10 to 15 percent of the resources available to WFP were spent in responding to emergency operations, normally associated with drought or floods. In 1997, nearly 70 percent of WFP's global resources were devoted to supporting humanitarian activities.

On the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, it is important to reaffirm the fundamental right of everyone to be free from hunger and to take particular note of the needs of people affected by all types of disasters. Universal rights require universal actions, and nowhere is this more true than in considering the practical implementation of the right to food for people living in countries subject to recurring drought or other types of natural disasters and those facing civil strife. The obligations of states may be seen on several levels: respecting, promoting and fulfilling or assisting in the realization of this right. Where states have the resources at their disposal, they have an obligation to meet the humanitarian needs of populations under their jurisdiction. In emergency situations, the needs of those affected may exceed the capacity or, in some cases, the will of the state





encouraged further by the United Nations Secretary-General in his programme for United Nations reform which challenges all organizations within the system to ensure that human rights are taken into account in all their ongoing activities. International humanitarian and human rights laws establish the framework within which both types of organization carry out their work. Their principal shared goals are preventing and alleviating human suffering wherever it may be found, achieving respect for the dignity and worth of each person and promoting respect for international standards relating to humanitarian assistance and human rights.

Emergencies present a great threat to efforts to reduce hunger and malnutrition among the world's poor, and addressing the right to adequate food in emergencies should not be seen solely in terms of the distribution of emergency food aid. In the case of drought and other types of recurring or sudden natural disasters, the international community should support states in strengthening their disaster preparedness, prevention and management capacities. With respect to complex emergencies, more attention should be focused on the strengthening of early warning and conflict prevention capacities. When crises do occur, effective coordination of international efforts to meet the assistance and protection needs of those affected is essential.

The fifty-fourth session of the United Nations Commission on Human Rights reaffirmed that a peaceful, stable and enabling political, social and economic environment is essential if states are to give adequate priority to food security and poverty eradication. The international community must do all that is possible to facilitate efforts directed at resolving conflict and supporting recovery from crisis. In recent years, conflict-affected countries in Africa, Asia and Central America have begun to enjoy the benefits of peace as land has been put back into production, markets have been reactivated and food security has been enhanced. The effective reintegration of refugees and internally displaced persons is a major element in successful peace consolidation efforts and in realizing the right to food in the form of longer-term food security. ●

## Investing in the right to food

**Pierre Spitz**

*Director of the Office of Evaluation and Studies, International Fund for Agricultural Development*



*A farmer works in a rice field irrigated by an IFAD project in China*

IFAD is exclusively devoted to improving the livelihood of the rural poor.



When food scarcities and famines struck throughout Africa, Asia and Latin America in the early 1970s, the right to food suddenly received more attention than it had in previous decades. The World Food Conference, which convened in 1974 to analyse the causes of these food crises and identify remedies, adopted a Universal Declaration on the Eradication of Hunger and Malnutrition, which was endorsed by the General Assembly of the United Nations in the same year. This declaration, proclaiming "the right to be free from hunger and malnutrition", did not include legal instruments, but the Conference itself proposed the establishment of a United

Nations financial institution exclusively devoted to improving the livelihood of the rural poor, the first victims of famines. Delegates understood that, during the famines in Africa, Asia and Latin America, hundreds of thousands of rural men and women – the very people who sowed the seeds, harvested the crops and minded the herds – had perished for lack of food while, during the same period and in the same countries, starvation in the cities (which are the seats of power) had been relieved by government interventions on the food front. Country dwellers are spatially dispersed and not threatening to the authorities unless they head towards the towns, particularly the capital. They are also socially and economically divided during a famine; the rural rich tending to take advantage of the rural poor by depriving them of their meagre assets.

The new financial institution established by the Conference was the International Fund for Agricultural Development (IFAD). In catering exclusively to the needs of the rural poor, IFAD was very innovative in the development context of the 1970s which was still dominated by the "trickle down" paradigm. This paradigm held that: generalized economic growth would lead to development for all; agricultural production increases at the national level would eliminate famines; and the most efficient way to increase food production was to concentrate investments on the better-endowed regions and farmers.

In this context, and with the benefit of hindsight, it is clear that IFAD was conceived as an investment instrument to further the realization of the right to food of the rural poor both directly, in its geographical areas



*Farmers in the Niger  
beat rice stalks to  
separate grains*

International  
organizations need to  
respect and build on  
traditional knowledge  
and practices in  
producing food rather  
than imposing alien  
production methods.

of intervention, and indirectly, through inspiring the use of its own innovative approach in other areas and by other organizations. Since IFAD started operating in 1978, not only have the rural poor and their rights to food and an adequate livelihood been a focus of attention, but so has the recognition of their human dignity; and this is in the original spirit of the United Nations' founding fathers, who envisaged a world in which economic and social rights would be reconciled with political rights.

Recognition of human dignity means, for example, that international organizations need to respect and build on traditional knowledge and practices in producing food rather than imposing alien production methods and models. Such an approach requires humility and interest in others; the most deprived are regarded not only as fellow human beings but also as experts in their own environment and lives. Once this concept is recognized, development can no longer be approached as a series of projects designed by outside experts, but requires the cross-fertilization of ideas and resources and the mutual respect that contribute to reducing hunger and fostering human dignity. As a fund giving loans to governments for fighting hunger and poverty, IFAD has to apply economic and financial analysis in order to develop cost-effective sustainable and replicable projects, but people must always come first.

In 20 years of investment in the rural poor's rights to food and a decent livelihood, IFAD has reduced food insecurity through nearly 500 projects in more than 100 countries, lending governments a total of US\$5.6 billion. Most of these loans are repaid with a very small percentage of arrears and defaults. Not all of the projects have reached their objectives; many diverse factors come into play in the complex web of rural development and some of these cannot easily be foreseen at the time of project design. However, the successful projects bear witness to the possibility of reconciling a human approach with the economic efficiency of investment; an important and comforting finding in a world in which human values tend to be replaced by market values.

IFAD's Office of Evaluation and Studies has selected a few representative success stories for presentation to the general public in a brochure called *Partners in Success* (Rome, IFAD, 1998). In this brochure, those involved in the projects' design, implementation and evaluation, particularly those who participated in the field, speak out and express their views. For instance, A. Amadu, a small farmer in Ghana, who was elected president of one of the water users' associations that were formed around irrigation dams built with IFAD support, states: "Before, when crops failed, my family did not have enough to live on during the rest of the year and we experienced famine. [With the dam] despite the drought in 1996, I was able to feed my family throughout the year and I am proud to be President of the Binduri Water Users' Association." P. Sembayee from India reflects this sense of pride. She



became a member of a credit and savings group within the framework of the IFAD-financed Tamil Nadu Women's Development Project: "Thanks to the project, I have learned many things: how to read and write, to go to the bank and to go to the collector's office. I am now ready to face all the other problems in my life. I stand on my own feet."

During an evaluation of the IFAD-financed Production Credit for Rural Women project in Nepal, a very poor farmer in Mustang district said: "Before the project we felt our hunger and poverty were for ever and nothing could be done about them.... We do not fear to starve any more during the winter months. We now have hope and, as a woman, I have acquired *izzat* [dignity]."

This statement not only confirms that "necessitous women are not free women", but demonstrates how civil and political rights should not be divorced from social and economic ones. Investing in the right to food through the promotion of groups and associations, with the participation of the most deprived – women and men – in decision-making, so that they can voice their demands and exercise their freedom of speech, is investing also in human dignity. ●

# Implementation of the World Food Summit Plan of Action

FAO Agriculture and Economic  
Development Analysis Division,  
Economic and Social Department



During the 1996 World Food Summit (WFS), a Plan of Action was adopted with the aim of reducing the number of undernourished people to half their 1996 number by 2015.

The Plan of Action contained seven commitments which were to act as guiding principles to all those involved in formulating the policies to implement the Plan of Action at national and international levels. The FAO Committee on World Food Security (CFS), which had been the negotiating forum for the preparation of the WFS, was appointed to monitor progress at regular intervals and, at its June 1998 session, it presented a first review of the action taken to fulfil each of the seven commitments, at national and international levels, during 1997. This review was based

on reports contributed by about 100 countries and 33 United Nations agencies, international organizations, regional or subregional bodies and non-governmental organizations (NGOs).

Many of the countries covered by the CFS review had introduced institutional measures to support the Plan of Action and its aims. These included: establishing interministerial coordination mechanisms; reviewing national strategies in the light of WFS objectives; and developing national plans of action. More specifically, Food for All campaigns and other initiatives, including World Food Day celebrations, had been carried out with a view to raising public awareness of food security issues.

## *The World Food Summit, FAO*

*Headquarters, Rome*  
In November 1996 Heads of State and Government pledged their political will and their commitment to achieving food security for all and to an ongoing effort to eradicate hunger in all countries.



## COMMITMENT ONE

*"We will ensure an enabling political, social, and economic environment designed to create the best conditions for the eradication of poverty and for durable peace, based on full and equal participation of women and men, which is most conducive to achieving sustainable food security for all."*

Although there are still several situations where large numbers of displaced persons are living under desperate conditions as a result of political and civil conflicts, steps are being taken at national and regional levels to solve conflicts peacefully within and between countries, and a number of both developed and developing countries are supporting United Nations peacekeeping efforts.

Many countries also reported that they are promoting human rights and stabilizing the political environment by strengthening democratic political processes, constitutional and legal provisions, transparency and good governance.

Measures undertaken to ensure gender equality and the empowerment of women include: strengthening of constitutional and legal provisions as well as specific policies; action in the areas of education and skills development and to improve access to productive resources such as land and credit; and the development of occupations specifically for women.

To provide equal opportunities to vulnerable and disadvantaged groups and individuals, many countries have instigated legislation against various forms of discrimination. In the developed countries, there are often social benefits and programmes to supplement legal provisions in favour of vulnerable, disadvantaged groups such as the unemployed, the disabled and the elderly.

## COMMITMENT TWO

*"We will implement policies aimed at eradicating poverty and inequality and improving physical and economic access by all, at all times, to sufficient, nutritionally adequate and safe food and its effective utilization."*

Many developing countries reported that eradicating poverty and achieving sustainable food security for all is their main policy priority.

In countries with a high proportion of undernourished, special emphasis is given to short-term measures to ensure access to food for food-insecure households. Food-for-work projects in the areas of public works and/or conservation of natural resources are common, as are school feeding programmes and direct distribution of cash or goods to those who are unable to support themselves. Other short-term mechanisms include unemployment relief programmes, market intervention to increase supplies and bring prices down to within the reach of consumers, and consumer subsidies.

Longer-term strategies to eradicate poverty often include measures to

improve access to land and/or security of tenure, the development of infrastructure, and provision of basic social services and human development, primarily through basic education and essential health services.

Developed countries generally ensure a minimum income and access to food on a sustainable basis to food-insecure groups. Among the specific measures pursued are: training programmes to enhance workers' skills; training, work placements, voluntary work or full-time education for unemployed youth to enhance their employment opportunities; and various targeted family supports. At the international level, the developed countries support developing countries in bilateral and multilateral poverty alleviation programmes, which are also an important field of action for international organizations.

Food insecurity and vulnerability information and mapping systems (see p. 29) have received particular attention at national and international levels as a tool for identifying vulnerable groups and targeting action.

### COMMITMENT THREE

*"We will pursue participatory and sustainable food, agriculture, fisheries, forestry and rural development policies and practices in high and low potential areas, which are essential to adequate and reliable food supplies at the household, national, regional and global levels, and combat pests, drought and desertification, considering the multifunctional character of agriculture."*

Developing countries have introduced measures aimed at accelerating the adoption of sustainable agriculture, livestock, fisheries and forestry production through the use of appropriate technology. These measures include: widespread use of improved seed varieties; promotion of green fertilizers; integrated plant nutrition; integrated pest management; provision of adequate fodder and food; and genetic improvement and disease control. To combat environmental threats to food security, many developing countries have established national policies and new legislation for conservation and sustainable use of water and soil, fisheries and forestry resources. Efforts to combat threats to biological diversity appear to be less widespread, however.

Many developing countries are working to improve skills in the workforce and diffusing new technologies. For example, several countries are promoting and strengthening partnership between private and public research in their formal agricultural education systems and/or training and research centres. A number of international organizations are collaborating with national and regional research institutions to find more sustainable technologies that are better-oriented to food security. The FAO Special Programme for Food Security (see p. 32) has already reached 36 of the low-income food-deficit countries to which it is directed.

Integrated rural development approaches are often used to revitalize rural

areas by building infrastructure and services and promoting labour-intensive projects to foster employment, income and improved living conditions. The strengthening of marketing and rural credit facilities is an essential part of these approaches. Local people are empowered through the decentralization of policy-making and the transfer of responsibilities to local communities and institutions in such fields as health, education and management of resources.

In developed countries, policies in support of the revitalization of rural areas include: loans for the modernization of farms; universal access to public services; help to young farmers; encouragement of agritourism; diversification of agriculture and rural development activities; encouragement of small-scale operations in rural areas; reducing the tax burden on ecologically friendly agricultural firms; and developing special measures for mountain areas.

#### COMMITMENT FOUR

*"We will strive to ensure that food, agricultural trade and overall trade policies are conducive to fostering food security for all through a fair and market-oriented world trade system."*

Many countries have introduced national policies aimed at trade liberalization, private sector development and a more outward approach to the application of trade rules, while international agencies are providing assistance to developing countries to enable them to reap more benefits from international trade.

Least-developed and net food-importing developing countries were accorded favourable differential treatment in the provision of credit for agricultural exports by the World Trade Organization (WTO) Ministerial Meeting in Singapore, which also endorsed a framework to increase trade-related technical assistance from international agencies to developing countries. The FAO Secretariat for the Codex Alimentarius and the International Plant Protection Convention (IPPC) continued to prepare standards, guidelines and recommendations, which are designed to prevent unnecessary non-tariff barriers to agricultural and food trade, and are specifically recognized in the Uruguay Round Agreements.

#### COMMITMENT FIVE

*"We will endeavour to prevent and be prepared for natural disasters and man-made emergencies and to meet transitory and emergency food requirements in ways that encourage recovery, rehabilitation, development and a capacity to satisfy future needs."*

To prevent or minimize the impact of natural and human-incurred emergencies, several countries are establishing mechanisms such as: national early warning and food information systems; disaster prevention and preparedness programmes; and other measures, such as the establishment of food security stocks.

## COMMITMENT SIX

*"We will promote optimal allocation and use of public and private investments to foster human resources, sustainable food, agriculture, fisheries and forestry systems, and rural development, in high and low potential areas."*

Countries are introducing economic liberalization and macroeconomic reforms to create a favourable environment for the private sector and promote both domestic and foreign investment. Specific measures include: creation of special funds for rural development; promotion of joint ventures with foreign private investment; fiscal and monetary incentives to encourage investment in areas that contribute to food security; and allocating a higher proportion of public expenditure to agriculture. A number of countries are also establishing rural cooperative and self-help schemes to mobilize savings and generate credit for productivity-enhancing rural activities.

Several donor countries are increasing the flow of financial and technical resources to help the developing countries move towards sustainable agricultural and rural development. Some donor countries have surpassed the official development assistance (ODA) target of 0.7 percent of GNP, while others are increasing their ODA towards that target. Resources are also being mobilized through debt-relief measures and support to the joint International Monetary Fund (IMF) and World Bank initiative for the highly indebted poor countries; reallocation of excessive military expenditures to social and economic development; and support to countries undergoing difficult transitions to a free market system.

## COMMITMENT SEVEN

*"We will implement, monitor, and follow-up this Plan of Action at all levels in cooperation with the international community."*

The United Nations Administrative Coordination Committee (ACC)<sup>3</sup> has established a Network on Rural Development and Food Security, operated by FAO and the International Fund for Agricultural Development (IFAD) with the close cooperation of the World Food Programme (WFP). Some 75 countries and 20 United Nations organizations are represented in this network, whose members include national institutions, bilateral donors and representatives of civil society. The network uses Internet and other new information technologies to promote information exchange and foster interactive networking among countries and regions, and between network members at all levels. Projects that the ACC Network has been involved in include the formulation of a policy framework and strategies for sustainable food security

<sup>3</sup> More information about the ACC Network is available from <<http://www.tao.org/sd/rdis>>

and poverty alleviation in Cambodia and a series of workshops to analyse different approaches and strategies for achieving food security in Peru.

#### THE NEXT STEP

The CFS established the programme for future reviews of progress in the implementation of the Plan of Action. In the year 2000, reports will focus on the "people-centred commitments" and, in 2002, on "development-centered commitments". After this there will be one other review before the in-depth mid-term review in 2006. In addition to these regular reviews, the Committee will also monitor thematic issues of implementation of the Plan of Action, so as to distill and share the lessons of successes and difficulties in meeting the commitments of the WFS. ●

# Identifying the hungry

FAO



The Food Insecurity and Vulnerability Information and Mapping System (FIVIMS) is being developed by FAO and its partners to find out who in the world is hungry and the reasons for their hunger. This information is one of the prerequisites for solving the problems of hunger and malnutrition. It is also essential to the World Food Summit (WFS) Plan of Action's aim of reducing the number of undernourished people in the developing world from more than 800 million in 1996

to half that number by no later than 2015.

As a first step, some basic terminology has been defined for use in FIVIMS and other hunger-eradicating activities:

**Food security:** all people at all times have physical, social and economic access to sufficient, safe and nutritious food which meets their dietary needs and food preferences for an active and healthy life.

**Food insecurity:** people are not consuming sufficient amounts of safe and nutritious food to meet their minimum needs. This may be owing to the unavailability of food, lack of social or economic access, instability of supplies or incomes, and/or inappropriate utilization at household level. Food insecurity and poor conditions of health and sanitation are the major causes of poor nutritional status.

**Vulnerability:** the full range of factors that place people at risk of becoming food-insecure, including those factors that affect their ability to cope.

**Food insecurity and vulnerability information and mapping system:** any system or network of systems that assembles, analyses and disseminates information about people who are food-insecure or at risk of hunger and malnutrition.

An officer from the Central Statistical Office of Zambia collecting data from a village  
Information about who is hungry and why is essential to solving world hunger and malnutrition.

## The role of national FIVIMS

Important initial tasks for a national FIVIMS are to:

- identify food-insecure and vulnerable groups – who they are and where they are located;
- determine the degree of inadequate food consumption and undernutrition among these groups;
- ascertain why they are food-insecure or vulnerable.

Thereafter, a national FIVIMS works on an ongoing basis to:

- gather and analyse relevant data for measuring





and monitoring food insecurity and vulnerability;

- provide up-to-date information to policy-makers and members of civil society at all levels in the country;
- facilitate assessment of the various policy and programme options;
- improve users' access to information through networking and sharing;
- provide information that may be called for at the international level.

At the national level, a FIVIMS is country-driven and user-focused. It is based on information systems already in existence, responds to the information needs of the different user groups within the country itself and is operated and controlled by the country.

National focal points will play catalytic and coordinating roles in initiating the implementation of FIVIMS activities and maintaining relationships with relevant international organizations and databases.

The development of a FIVIMS at the country level is promoted by the thematic groups of the United Nations Administrative Committee for Coordination (ACC) Network on Rural Development and Food Security, a mechanism established to ensure appropriate interagency coordination for the WFS follow-up at the field level.

#### FROM THE WFS PLAN OF ACTION

"... governments, in cooperation among themselves and with international institutions,... will encourage relevant agencies within the UN system to initiate... consultations on the further elaboration and definition of a food insecurity and vulnerability information and mapping system to be developed in a coordinated manner; member countries and their institutions and other organizations, as appropriate, should be included in the development, operation and use of the system; FAO should play a catalytic role in this effort, within the framework of the ad hoc inter-agency task forces on the follow-up of the UN conferences."

*Commitment 7, paragraph 59B*

"Governments, in partnership with all actors of civil society, as appropriate, will develop and periodically update where necessary, a national food insecurity and vulnerability information and mapping system, indicating areas and populations, including at local level, affected by or at risk of hunger and malnutrition, and elements contributing to food insecurity, making maximum use of existing data and other information systems in order to avoid duplication of efforts."

*Commitment 2, paragraph 20A*

"It is necessary to target those people and areas suffering most from hunger and malnutrition and identify causes and take remedial action to improve the situation. A more complete, user-friendly source of information at all levels would enable this."

*Opening paragraph 4.*

### Towards a global FIVIMS

Databases held by international agencies and other institutions will be linked together in a common global FIVIMS database. This would be a decentralized information system for posting and distributing FIVIMS-related information, data and maps over the Internet's World Wide Web.

As the national FIVIMS improve the quality and coverage of their own information databases, more and more of the data they collect can be used to enrich the appropriate international databases collaborating in the global FIVIMS. This information will improve the international community's monitoring of food security trends at the global level, thus facilitating the mobilization of resources with special reference to the needs of countries facing deteriorating food security, nutrition and health situations and resource degradation.

### Putting it all together

An international FIVIMS programme is being developed and coordinated through the Inter-agency Working Group on FIVIMS (IAWG-FIVIMS), which has its Permanent Secretariat at FAO. The international FIVIMS programme supports both national and global FIVIMS.

The international FIVIMS programme will:

- generate technical materials and provide an oversight for the development and application of guidelines and manuals;
- mobilize resources for national FIVIMS as needed;
- help with the definition of common standards and improvement of data quality;
- promote information exchange and networking;
- support the development of a global FIVIMS.

FIVIMS, at all levels, will provide the information required to monitor and guide progress towards meeting the goals set by the WFS. ●

# Special Programme for Food Security

FAO Field Operations Division,  
Technical Cooperation Department

## What it is

The Special Programme for Food Security (SPFS) aims to support low-income food-deficit countries (LIFDCs) in their efforts to:

- improve their national food security through rapid increases in productivity and food production on an economically and environmentally sustainable basis;
- reduce year-to-year variability in agricultural production;
- improve people's access to food.

It was launched by FAO in 1994 and endorsed by the World Food Summit (WFS) in November 1996 and is already making a substantial contribution to the Summit's goal of halving the number of chronically undernourished people in the developing world.

## Objectives and approach

Food security is defined by FAO as access by all people at all times to the food needed for a healthy and active life. Achieving food security means ensuring that sufficient food is available, that supplies are relatively stable and that those in need of food can obtain it. Although over the years governments, with support from FAO and other development agencies, have addressed food security and its related elements in many ways, today some 800 million people

in developing countries – about 20 percent of their total population – are chronically undernourished. With a growing world population – the present figure of 5.7 billion is expected to rise to 8.3 billion by the year 2025 – this situation will worsen unless very determined and well-targeted actions are taken to improve food security.

Chronic undernutrition and food insecurity are principally the results of:

- low productivity in agriculture, frequently caused in part by policy, institutional and

technological constraints;

- high seasonal and year-to-year variability in food supplies, often owing to unreliable rainfall and insufficient water for crop and livestock production;
- lack of off-farm employment opportunities, contributing to low and uncertain incomes in urban and rural areas.

The causes and consequences of food insecurity and poverty are inextricably linked. One way to break this vicious circle is to increase agricultural productivity, particularly where gains can be achieved by small farmers, who are often among the poorest. As the world's population and standards of living

*A culvert constructed at an SPFS pilot site in Cambodia*

Since its launch in 1994 the SPFS has become operational in 36 countries



rise, the need for food will grow and the availability of underutilized arable land will continue to decrease.

It is therefore important to intensify production, using sustainable methods, on land that has agricultural potential and is currently in use, rather than to encroach on land that is only marginally suitable for cultivation.

## WOMEN HOLD THE LION BY THE TAIL

Women in the Dodoma and Morogoro regions of the United Republic of Tanzania are good examples for the 1998 World Food Day theme: Women feed the world. Farmers in Tanzania are working in groups to form savings and credit associations so that they have easier access to inputs. Women's groups are claiming that, with good yields from their farms, they are getting close to "holding the lion by the tail".

Holding a lion by the tail is believed to be the most effective way of fighting it, as its ribs do not allow it to bend backwards. So as long as you hold the lion by the tail and turn round and round you are safe.

Women in the programme say that they are holding hunger, malnutrition and poverty by the tail because their efforts are slowly starting to pay back in the form of increased production from small livestock keeping. In Kongwa a farming group has been able to open a bank account and deposit 300 000 Tanzanian shillings (US\$450) – a useful step towards overcoming difficulties in purchasing inputs.

With improved inputs, farmers in Kilombero have managed to raise production from 17 bags of paddy per acre (about 42 bags per hectare) to as much as 35 to 40 bags (85 to 100 bags per hectare).

Source: adapted from *The African, the Tanzanian Daily*, 24 July 1998.

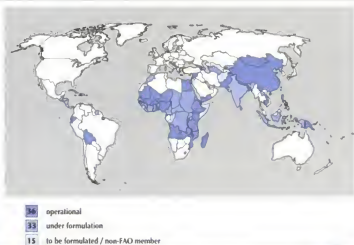
## How does the SPFS work?

Core features of the SPFS include raising farmers' net income, generating rural employment and increasing social equity. More specific actions include:

- farmer-led demonstrations of improved technologies and management practices;
- dissemination of successful farming methods among smallholders;
- policy reforms to remove practical and bureaucratic constraints and create conditions conducive to increased food production, higher farm incomes and more off-farm employment.

Overall, the SPFS was conceived as an evolving process that would be continually shaped and reshaped by participants' local knowledge and the results of project experience acquired in real-life circumstances. In addition to social equity, gender sensitivity and environmental awareness are central concerns, and projects are adapted to local conditions and priorities defined jointly by farmers and country planners.

## IMPLEMENTATION OF THE SPFS



By September 1998, the SPFS was operational in 36 LIFDCs – 20 in Africa, 10 in Asia and the Near East, three in Latin America, two in Europe, and one in Oceania. It was at various stages of formulation in a further 33 countries.

The SPFS belongs to the beneficiary countries that choose to adopt its principles. So, although technical and financial support is given by FAO and other international and national sources, individual governments are responsible for the actual design and implementation of their own programmes. ●

## Rural women and the right to food

FAO Women and Population Division,  
Sustainable Development Department

The Universal Declaration of Human Rights affirmed the essential dignity and integrity of all human beings. Yet in far too many cases, women's rights are more limited than those of men. The situation is particularly difficult for rural women who are often denied the most basic economic and social rights to own property, to find decent work and to have an education and good health.

Without these basic rights, it is difficult for rural women to develop their own capacities fully and make a decent living as agriculturists, entrepreneurs or wage earners.

There is an age-old idea that women's rights should be secondary to men's because men are the main breadwinners and leaders of society. But the world is changing. Globalization and other economic and social forces are affecting the rural landscape in new and profound ways, changing the economic reality of people's situations and, consequently, the social structure. Most rural economies are becoming more heavily cash-oriented than in the past, putting

pressure on rural households to have higher cash incomes. This need for cash is felt by both men and women and has pushed many women into income-generating activities or wage labour so that they can buy food and other essentials.

Migration, increasingly high separation and divorce rates, war and AIDS are also increasing the numbers of female-headed rural households worldwide. This leaves women with total responsibility for earning a living and raising, feeding and educating young children. Although

female-headed households are increasing in almost all regions, the situation is most dramatic in sub-Saharan Africa and the Caribbean where women head approximately 30 percent of rural households. In many Southern African countries, they almost completely dominate the traditional farming sector.<sup>4</sup>

### Women's role in food security

FAO believes that assuring women's human rights is a precondition for a just and humane society. It is also a key strategy in assuring food security for all. This is because people's overall access to food is very dependent on the work of rural women. FAO makes a rough estimate that women produce more than



*Village women in Indonesia at a meeting with an extension officer*

Technical training and extension aimed at women help them to realize their potential as providers of family food and income.

<sup>4</sup>FAO. 1995. *Women, agriculture and rural development: a synthesis report of the Africa region*. Rome; FAO. 1998. *Rural women and food security: current situation and perspectives*. Rome.

50 percent of the food grown worldwide.<sup>7</sup> Some rural women are farmers on their own account, mainly growing food for family consumption. But the majority of rural women work as "invisible" field hands on family plots. They carry out essential work such as hoeing, planting, weeding and harvesting with simple tools and little outside assistance. This often means that women have no recognized independent status as farmers and their work is considered as secondary within both the family and society.

The numbers tell a different story however. In sub-Saharan Africa, women contribute roughly 60 to 80 percent of labour in food production, both for household consumption and for sale. In Asia, women account for approximately 50 percent of overall regional food production.<sup>8</sup> In South and Southeast Asia, women play a major role in rice production, generally providing the unpaid family or wage labour needed for sowing, transplanting, harvesting and processing. Throughout the Pacific, women play prominent roles in food marketing and in fisheries. In Latin America, although the workforce in agriculture is declining overall, women still contribute 40 percent of the agricultural supply to the internal market and women's gardens and agricultural plots often constitute the only means of diversifying the family's diet.<sup>9</sup>

### THE LAST TO EAT

In many societies, tradition dictates that the men eat first and receive the best food. When food is scarce, this often means that women and children go without. Thus, women in the developing world are more likely to be undernourished than men. Closely spaced pregnancies also take their toll, leading in many cases to anaemia, a major cause of maternal mortality.

Women's active involvement in agriculture usually translates into a heavy workload. Poor rural women can work as many as 16 to 18 hours per day, doing fieldwork as well as handling all their domestic responsibilities. This heavy workload can have a negative affect not only on women's own health but on family nutrition as well.

For example, participatory rural appraisals carried out under a food security and nutrition project in the Luapula Valley of Zambia found that women's work burden is the biggest constraint to household food security in the project area.<sup>10</sup> Poor rural women simply do not have enough time during the day to

<sup>7</sup> FAO, 1995. *A better future for rural women*. Rome.

<sup>8</sup> These figures were taken from recent FAO publications, including FAO, 1998 and a recent series of Statistical Profiles on Women prepared by the Economic and Social Commission for Asia and the Pacific (ESCAP).

<sup>10</sup> FAO, 1998.

## WOMEN'S RIGHT TO CREDIT

The Interregional Project for Participatory Upland Conservation and Development promotes people's participation in the conservation of upland watersheds in five countries. Early on, the project staff realized that they needed to help people solve their economic problems before they could think about management and conservation of the environment. In Tunisia, one focus of the project has thus been to provide credit and training, especially for women, in order to create employment and improve family income in the Oued Sbahiya watershed. Given that none of the participating women had ever had access to credit before, the microcredit scheme allowed them to expand their poultry farming and beekeeping activities.

In the words of Mbarka Bent Hammadi Aguil: "My project works well and I earn enough, both with the hens that I have bought thanks to the credit and the ones I had before. Every day some money comes in. I will now buy a lamb, which I am going to fatten in order to sell it for the next religious feast for not less than three times the price I paid for it. I have given some money to my father to let him buy land. I have been able to go to Tunis to visit my brother at the hospital. If it wasn't for the expenses to help my family, I could save a lot and invest more. But my project is meant, in part, to help my family."

do everything – work in their fields, which are often distant from their homes, collect water and fuelwood, prepare meals and care for the sick and the elderly. Women have no choice but to cut back on cooked meals and introduce shortcuts in food preparation which have a negative impact on children's nutrition and the overall food security of the household.

One part of the project strategy is to carry out nutrition education and awareness raising in the communities to convince men to take on more responsibility for reproductive tasks such as child care and food preparation. The other part is to support the women's productive activities by providing training, credit and access to improved and appropriate technology to reduce the drudgery of their tasks.

## The right to land and other resources

If rural women are to reach their potential as providers of food and income for their families, they must have rights to the means of production. In most traditional societies, a woman's status within the farming household is almost always derived from her relationship to males within the household (as mother, wife or daughter).

Thus, women seldom have individual rights to land, water and other

<sup>22</sup> Sontheimer, S. 1997. Consultant's mission report to GCP/ZAM/052/BEL – Improving Nutrition and Food Security in the Luapula Valley, Zambia. FAO.





*Monthly payments are deposited as part of a lease purchase credit scheme in Zambia*  
Most rural economies are becoming more heavily cash-oriented.

all the rest is humbug." Land is not only the most basic agricultural input but ownership of and control over land are also crucial determinants in whether a farmer has access to other resources and participates in local decision-making processes. For example, without landownership as collateral, women farmers and entrepreneurs have little access to institutional sources of credit. They are

resources that are necessary for raising the productivity of their agricultural activity. In many countries, laws limit women's ability to own property and participate fully in development. In others, legislation has affirmed women's basic right to own land and other resources but customary practices and laws effectively limit its application.

Why are women's rights to land so important? As a group of landless women in India replied in answer to a query from development workers about whether they wanted better houses: "We want (arable) land,

### ELIMINATING DISCRIMINATION AGAINST WOMEN

The need to recognize a range of complementary rights to improve rural women's access to food, health, education, training and opportunities for employment has been outlined in the 1979 Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). CEDAW is the most important United Nations convention dedicated to women's rights. As of 1997, 153 states had ratified or adhered to the Convention. In a special article on the problems of rural women (Article 14), CEDAW asks States Parties to ensure that rural women have the right to:

- agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform and resettlement schemes;
- training, education and extension services in order to increase their technical efficiency;
- participation in development planning at all levels;
- organization of self-help groups and cooperatives;
- access to adequate health care facilities, including information, counselling and services in family planning.

rarely considered as clientele for agricultural research and development programmes or users of improved technologies. Technical training and extension programmes overlook them because they are not considered primary producers.

### The need for other basic rights

There is, of course, a strong linkage between the right to food and other fundamental human rights. For poor rural women, the rights to education,

knowledge and employment are prerequisites for assuring their own food security and that of their families. Women have far less access to education and information than men. According to global studies, only 58 percent of women in developing countries can read and write, compared with 79 percent of men.

Yet, when rural women are asked what is the single most important form of assistance they need, they most often answer that they want training in agricultural techniques, literacy or business skills. Rural women thus recognize that education and training are the primary stepping stones to being able to improve their lives.

Wage-earning opportunities and formal employment are becoming increasingly important to rural women, but steady jobs are scarce and women's employment rights not adequately protected. Where they do find employment, female wage workers are generally concentrated in low-status, low-skill and low-paid jobs with long hours and poor working conditions. With only a few exceptions, women tend to be paid less than men are. For women with formal jobs, the right to organize is important. But there are few trade unions or other formal organizations that truly represent rural women's interests and respond to their needs. ●

# Implementation of the right to food in national legislation

FAO Legal Office

States Parties to the International Covenant on Economic, Social and Cultural Rights (ICESCR) are required to adopt, *inter alia*, the legislative measures necessary to realize the right to an adequate standard of living, including the right to adequate food. Several countries already have provisions on the right to food in their national constitutions, but there is still a worldwide lack of experience in designing and using national legislation to implement those provisions.

Of course, problems and causes of hunger or lack of access to adequate food vary greatly from country to country, so different solutions will be needed in each. However, it seems that legal tools could be used to further implementation of the right to adequate food in all countries.



*After eating, children are weighed and measured in Burkina Faso*

The primary responsibility for ensuring the right to food lies with the national authorities of each country.

## National responsibility

ICESCR Article 11 recognizes the right of everyone to an adequate standard of living for themselves and their families. The right to an adequate standard of living includes the rights to adequate food, freedom from hunger and the continuous improvement of living conditions. The States Parties to the Covenant commit themselves to take appropriate steps to ensure the realization of this right. Under ICESCR Article 2, these steps are to be taken by each State Party, "to the maximum of its available resources, with a view to achieving progressively the full

realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures" (emphasis added).

This commitment was renewed by the world's leaders in 1996 in the context of Commitment 7.4 of the World Food Summit (WFS) Plan of Action, in which governments announced that they would make every effort to implement the provisions of ICESCR Article 11. In the Plan of Action, governments pledged their political will and common and national commitment to achieving food security for all<sup>11</sup> and to an ongoing effort to eradicate hunger in all countries,

<sup>11</sup> Food security is defined in the introduction to the WFS Plan of Action as existing when all people at all times have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life.

<sup>12</sup> See Rome Declaration on World Food Security, paragraph 2.

with an immediate view to reducing the number of undernourished people to half its present (1996) level no later than 2015.<sup>12</sup>

The primary responsibility for ensuring the full enjoyment of the right to adequate food lies with the national authorities of each state. This applies both to the obligations contained in the International Human Rights Covenants and to the commitments under the WFS Plan of Action.

In recognition of this primary responsibility, a number of countries have enshrined the right to adequate food, or at least the responsibility of the state in this area, in their national constitutions.<sup>13</sup> As yet, however, no country has adopted national legislation expressly to implement this right. Neither has any substantial work been done to establish how such commitments can be implemented in national legislation, although some elements of such a methodology have been defined and are presented below.

### Levels of state obligations

Human rights experts have identified three levels at which the state's human rights obligations operate; states must respect, protect and fulfil their subjects' rights. Obligations can be divided further into obligations of result and obligations of conduct, the latter being the focus of legislative action. This basic analysis already provides some guidance as to the types of action that a state may take through national legislation.

*Obligations to respect* stipulate limits on the exercise of state power, rather than positive action. The state should not, in general, interfere with the livelihood of its subjects or their abilities to provide for themselves. Where any review indicates the existence of national legislation that has such an effect, either directly or indirectly, then immediate action will be called for to rectify the situation.

*Obligations to protect* require regulating the conduct of non-state actors. This entails the establishment of an enabling regulatory environment, that is legislation and sanctions, for example, in the fields of food safety and nutrition, protection of the environment and land tenure.

*Obligations to fulfil* require positive action by the state to identify vulnerable groups and to design, implement and monitor policies that will facilitate their access to food-producing resources or an income. As a last resort, direct assistance may have to be provided, to ensure, at a minimum, freedom from hunger.

<sup>12</sup> The constitutions of the Congo (Art. 34), Ecuador (Art. 19), Haiti (Art. 22), Nicaragua (Art. 63), South Africa (Art. 27), Uganda (Art. 14) and Ukraine (Art. 48) recognize explicitly the right to adequate food as set out in ICESCR. The constitutions of Bangladesh (Art. 15), Ethiopia (Art. 90), Guatemala (Art. 99), India (Art. 47), the Islamic Republic of Iran (Arts. 3 & 43), Malawi (Art. 13), Nigeria (Art. 16), Pakistan (Art. 38), Seychelles (Preamble) and Sri Lanka (Art. 27), set the achievement of these goals as responsibilities of the state, while the constitutions of Brazil (Art. 227), Guatemala (Art. 51), Paraguay (Art. 53), Peru (Art. 6), and South Africa (Art. 28), recognize the right of children to adequate food and nutrition. See *The right to food in national constitutions*.

# The right to food in national constitutions.

## ● HAITI Article 22

"The State recognizes the right of every citizen to decent housing, education, food and social security."

## ● CUBA Article 8 (The Socialist State)

"...as the power of the people and for the people, guarantees... That no child be left without schooling, food and clothing."

## ● GUATEMALA Article 51 (Protection of Minors and the Elderly)

"The State will protect the physical, mental and moral health of Minors and the Elderly. It will guarantee them their right to food, public health, education, security and social insurance."

### Article 99 (Feeding and nutrition)

"The State will see to it that the food and the nutrition of the population meet the minimum health requirements. The specialized actions among themselves or with international organizations dedicated to public health to achieve an effective national food delivery system."

## ● NICARAGUA Article 63

"It is the right of Nicaraguans to be protected against hunger. The State shall promote programmes which assure adequate availability and equitable distribution of food."

## ● COLOMBIA Article 44

"The following are basic rights for children... a balanced diet..."

## ● ECUADOR Article 19

"...The right to a standard of living that ensures the necessary health, food, clothing, housing, medical care and social services."

## ● BRAZIL Article 227 (Right to food for children and teenagers)

"It is the duty of the family, of society, and of the State to ensure children and adolescents, with absolute priority, the right to life, health, food, education, leisure, professional training, culture, dignity, respect, freedom, and family and community life, in addition to safeguarding them against all forms of negligence, discrimination, exploitation, violence, cruelty, and oppression."

## ● PARAGUAY Article 53 (Children)

"Every parent has the right and obligation to care for, to feed, to educate, and to support his children while they are minors. The laws will punish those parents who fail to comply with their duty to provide their children with food..."



## THE FOLLOWING COUNTRIES HAD NO MENTION OF THE RIGHT TO FOOD IN THEIR CONSTITUTIONS

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua, Argentina, Armenia, Australia, Austria, Azerbaijan, the Bahamas, Bahrain, Barbados, Belarus, Belgium, Belize, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Finland, Fiji, France, Gabon, the Gambia, Germany, Ghana, Grenada, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland,

Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Democratic People's Republic of Korea, Republic of Korea, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, The Former Yugoslav Republic of Macedonia, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Republic of Moldova, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, the Netherlands, New Zealand, the Niger, Norway, Oman, Panama, Papua New Guinea, the Philippines, Poland, Portugal,

Qatar, Romania, the Russian Federation, Rwanda, Saint Lucia, Saint Vincent, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somali, Spain, the Sudan, Suriname, Swaziland, Sweden, Switzerland, the Syrian Arab Republic, Taiwan Province of China, Tajikistan, United Republic of Tanzania, Thailand, Tibet, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, United Arab Emirates, United Kingdom, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Western Samoa, Yemen, Yugoslavia, Zambia and Zimbabwe.

## NO CONSTITUTION TEXT WAS FOUND FOR THE FOLLOWING COUNTRIES

Bhutan, Bolivia, Botswana, Brunei Darussalam, Georgia, Lesotho, Saint Christopher and Nevis and San Marino.

● **UKRAINE** Article 48

"Everyone has the right to a standard of living sufficient for himself or herself, and his or her family that includes adequate nutrition, clothing and housing."

● **Islamic Republic of IRAN** Article 3 (*State Goals*)

"...The planning of a correct and just economic system, in accordance with Islamic criteria, in order to create welfare, eliminate poverty, and abolish all forms of deprivation with respect to food, housing, work, health care, and the provision of social insurance for all."

Article 43 (*Principles*)

The economy of the Islamic Republic of Iran, with its objectives of achieving the economic independence of the society, uprooting poverty and deprivation, and fulfilling human needs in the process of development while preserving human liberty, is based on the following criteria:  
The provision of basic necessities for all citizens: housing, food, clothing hygiene, medical treatment, education, and the necessary facilities for the establishment of a family."

● **PAKISTAN** Article 38

"The State shall provide basic necessities of life, such as food, clothing, housing, education and medical relief."

● **INDIA** Article 47 (*Duty of the State to raise the level of nutrition and the standard of living and to improve public health*)

"The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purpose of intoxicating drinks and of drugs which are injurious to health."

● **BANGLADESH** Article 15 (*Provision of basic necessities*)

"It shall be a fundamental responsibility of the State to attain, through planned economic growth, a constant increase of productive forces and a steady improvement of the material and cultural standard of living of the people, with a view to securing to its citizens... the provision of the basic necessities of life, including food, clothing, shelter..."

● **SRI LANKA** Article 27

"The State is pledged to establish in Sri Lanka a democratic socialist society, the objectives of which include... the realization by all citizens of an adequate standard of living for themselves and their families, including adequate food, clothing and housing..."

● **ETHIOPIA** Article 90 (*Social objectives*)

"To the extent the country's resources permit, policies shall aim to provide all Ethiopians with access to public health and education, clean water, housing, food and social security."

● **MALAWI** Article 13

"The State shall actively promote the welfare and development of the people of Malawi by progressively adopting and implementing policies and legislation aimed at achieving the following goals:  
Nutrition: To achieve adequate nutrition for all in order to promote good health and self-sufficiency."

● **UGANDA** Article 14 (*General social and economic objectives*)

"The State shall endeavour to fulfil the fundamental rights of all Ugandans to social justice and economic development and shall, in particular, ensure that... all Ugandans enjoy rights and opportunities and access to education, health services, clean and safe water, decent shelter, adequate clothing, food, security and pension and retirements benefits."

● **SOUTH AFRICA** Section 27 (*Health care, food, water and social security*)

"1) Everyone has the right to have access to:

a) health care services, including reproductive health care; b) sufficient food and water; and c) social security, including, if they are unable to support themselves and their dependants, appropriate social assistance.

2) The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realization of each of these rights..."

Section 28 (*Children*)

"1) Every child has the right to:

a) a name and a nationality from birth; b) family care or parental

care, or to appropriate alternative care when removed from the family environment; c) basic nutrition, shelter, basic health care services and social services..."

● **CONGO** Article 34 (*Health, Aged, Handicapped*)

"The State is the guarantor of public health. Every citizen shall have the right to a level of life sufficient to assure his health, his well-being and that of his family, notably food, clothing, shelter, medical care as well as necessary social services."

● **NIGERIA** Article 16

"The State shall assure, within the context of the ideals and objectives for which provisions are made in this constitution... that suitable and adequate shelter, suitable and adequate food, reasonable living wages, are provided for all citizens."

A useful first step in deciding on legislative measures for the implementation of the right to food would be for states to review how effectively they are already implementing their obligations to respect, protect and fulfil, not only in the substantive areas of food production, processing, distribution and consumption, but also in the infrastructure that underlies those areas, for example in land tenure systems.

While doing this, states should also define the extent to which national government itself should intervene, in the light of the principles of individual responsibility, subsidiarity and complementarity, bearing in mind that the state's obligation is to ensure the right to adequate food, and not necessarily to carry out itself every substantive action or measure that needs to be taken.

A government's primary responsibility is not to interfere with individuals' efforts to provide for themselves, but to seek to ensure an enabling environment for such efforts. However, within every state, there will always be some persons who need direct assistance and, in this context, the efficacy of existing social safety nets and social legislation should also be reviewed, taking into account the role of local authorities.

### Scope of legislative reviews

The constitutional provisions recognizing the right to an adequate standard of living, including the right to food, are normally concise and focused, while the measures that may be required to give effect to that right will inevitably be far-ranging and extend into many different areas. The measures will therefore need to be practically oriented and, for this, the WFS Plan of Action provides a blue-print as well as establishing targets for national governments, civil society and the international community. Legislative and institutional measures are an essential component in constructing the enabling environment in which rights can be realized.

Any review of national legislation and institutions needs to be wide-ranging enough to cover all the relevant areas, but narrow enough to be tangible and practicable. A well-focused review requires some initial understanding of the nature and extent of the problem, the locations and numbers of those who are deprived of the right to food or have inadequate access to food, and the reasons for that lack of access.<sup>14</sup>

The specific areas in which corrective legislative action is needed should then be identified. These areas may include land tenure, access to water, credit, rural markets, food production and food quality, as well as the institutional and legislative framework in which the right to adequate food is to be realized.

The extent to which existing legislation and institutions are already realizing

<sup>14</sup> In this context, use could be made of FAO's Food Insecurity and Vulnerability Information and Mapping System (FIVIMS), see p. 29.

the right to food is, of course, only one of the issues that a review of national legislation and institutions needs to take into account – each country will have its own constraints on the realization of the right to adequate food. However, all relevant legislation and institutions will need to be reviewed from the point of view of the degree in which, in addition to achieving their own sectoral objectives, they contribute to an adequate regulatory and enabling framework for the realization of the right to food, bearing in mind the state's obligations in this regard.

In addition, national legislation can also establish the framework within which the review and practical measures take place by: establishing general principles for the implementation of the right to adequate food; setting targets and deadlines; and establishing the institutional framework for policy-making and the monitoring of progress. ●



## Extracts from international instruments

### CONSTITUTION OF FAO, 1965<sup>1</sup>

#### Preamble

The Nations accepting this Constitution, being determined to promote the common welfare by furthering separate and collective action on their part for the purpose of: raising levels of nutrition and standards of living... and thus... ensuring humanity's freedom from hunger.

### WORLD FOOD SUMMIT PLAN OF ACTION, 1996<sup>2</sup>

#### Commitment Seven

We will implement, monitor and follow-up this Plan of Action at all levels in cooperation with the international community.

#### Objective 7.4

To clarify the content of the right to adequate food and the fundamental right of everyone to be free from hunger, as stated in the International Covenant on Economic, Social and Cultural Rights and other relevant international and regional instruments, and to give particular attention to implementation and full and progressive realization of this right as a means of achieving food security for all.

To this end, governments, in partnership with all actors of civil society, will, as appropriate:

- a) Make every effort to implement the provisions of Article 11 of the International Covenant on Economic, Social and Cultural Rights (the Covenant) and relevant provisions of other international and regional instruments;
- b) Urge States that are not yet Parties to the Covenant to adhere to the Covenant at the earliest possible time;
- c) Invite the Committee on Economic, Social and Cultural Rights to give particular attention to this Plan of Action in the framework of its activities and to continue to monitor the implementation of the specific measures provided for in Article 11 of the Covenant;
- d) Invite relevant treaty bodies and appropriate specialized agencies of the UN to consider how they might contribute, within the framework of the coordinated follow-up by the UN system to the major international UN conferences and summits, including the World Conference on Human Rights, Vienna 1993, within the scope of their mandates, to the further implementation of this right;

<sup>1</sup> As amended in 1965.

<sup>2</sup> Adopted by the World Food Summit, Rome, 13 to 17 November 1996. FAO. 1997. *Report of the World Food Summit, Part One*. Rome.

- e) Invite the UN High Commissioner for Human Rights, in consultation with relevant treaty bodies, and in collaboration with relevant specialized agencies and programmes of the UN system and appropriate intergovernmental mechanisms, to better define the rights related to food in Article 11 of the Covenant and to propose ways to implement and realize these rights as a means of achieving the commitments and objectives of the World Food Summit, taking into account the possibility of formulating voluntary guidelines for food security for all.

## **UNIVERSAL DECLARATION OF HUMAN RIGHTS, 1948<sup>3</sup>**

### **Article 25**

Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food...

## **INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, 1966<sup>4</sup>**

### **Article 11**

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food.... The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent.

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international cooperation, the measures, including specific programmes, which are needed:

- a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
- b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

### **Article 2**

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the

<sup>3</sup> Adopted by the General Assembly on 10 December 1948. UN doc. A/811.

<sup>4</sup> General Assembly Resolution 2200 A (XXI), Annex, of 16 December 1966.

full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

#### UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD, 1989<sup>1</sup>

##### Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures: ...

c) to combat disease and malnutrition, including within the framework of primary health care, through, *inter alia*, the application of readily available technology and through the provision of adequate nutritious foods...

e) to ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition...

##### Article 27

States Parties, in accordance with national conditions and within their means... shall in case of need provide material assistance and support programmes, particularly with regard to nutrition... ●

<sup>1</sup>General Assembly Resolution 44/25, Annex, of 20 November 1989.



**W**hat is the right to food? And how important is it? What are its implications for every human being? Who is responsible for implementing it? And how best to implement it so that everyone, everywhere has enough to eat?

These questions are of fundamental importance, not only to the world's more than 800 million undernourished people, but also to national governments, international bodies, non-governmental organizations and others concerned with economic development and the improvement of living standards worldwide. As was emphasized during the World Food Summit held at FAO in November 1996, hunger is a violation of human dignity and an impediment to social, political and economic progress. It is unconscionable that millions of people around the world do not have access to food. How can they ever hope to realize their full physical and mental potential? The right to food is a basic human right.

This publication marks the fiftieth anniversary of the Universal Declaration of Human Rights. It examines the right to food and the obligations that it entails for governments, civil society and the international community. It discusses different approaches to solving the problems of hunger and summarizes specific measures being taken by governments, international bodies and non-governmental organizations to ensure food for all.

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